

**THIRTEENTH DAY**

(Wednesday, February 1, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 19, Inviting His Excellency, John Connally, Governor of the State of Texas, to address the Regular Session of the 60th Legislature Joint Session at 11 a.m., February 2, 1967.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Notice of Executive Session**

On motion of Senator Blanchard and by unanimous consent the time for the Executive Session on which

notice was given on yesterday was changed from Thursday, February 2, 1967, to 11:30 o'clock today because of the Joint Session to hear Governor Connally's address.

**Resolutions Signed**

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 8, Requesting Governor to submit as an emergency pay raises for State employees.

S. C. R. No. 10, Memorial resolutions for Lieutenant Colonel Virgil I. (Gus) Grissom, Lieutenant Colonel Edward H. White II, and Lieutenant Commander Roger B. Chaffee.

S. C. R. No. 11, Memorial resolution for Judge Thomas R. Bond.

**Senate Resolution 74**

Senator Reagan offered the following resolution:

Whereas, On Saturday, November 5, 1966, at a dinner meeting in Corpus Christi, Texas, Mrs. W. E. (Bobbie Lee) Flint, R.N., was elected "Nurse of the Year for 1966" by the Texas Nurses Association, District 17; and

Whereas, Mrs. Flint is In-service Educational Director of Nursing at Spohn Hospital, serving in this capacity for the past two years after nursing at said hospital for many years; and

Whereas, Mrs. Flint was born in Woodsbury, Tennessee, later moving to Corsicana, Texas where she entered nurses training, later completing her work at Baylor University School of Nursing in Dallas; and

Whereas, Mrs. Flint moved to Corpus Christi with her family of three children, one of her sons now serving in Viet Nam; and

Whereas, Mrs. Flint has been active in all phases of her profession and has contributed much to civic work in the Corpus Christi community having served on the Board of Directors of District 17 of Texas Nurses Association and serving as president during 1965-1966. She has also served as vice-president of the Disaster Committee of Nueces County Red Cross

as well as being on numerous District and State committees; and

Whereas, Her friendliness, graciousness, dedication to her profession and willingness to give of herself to serve humanity, attributed to Mrs. Flint's selection as "Nurse of the Year"; now, therefore, be it

Resolved, by the Senate of Texas, That it does hereby recognize the contributions and unselfish services to her State and her community and that copies of this Resolution, under the seal of the Senate, be presented to her.

The resolution was read and was adopted.

#### Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senators Hardeman, Christie, Wade and Bates:

S. B. No. 145, A bill to be entitled "An Act to amend the following Articles of the Code of Criminal Procedure, 1965, as amended, namely, Art. 1.14, relating to waiver of rights; Art. 1.15, relating to juries in felony cases; Art. 2.07, relating to attorneys pro tem.; Art. 2.12, defining peace officers; Art. 2.24, relating to identification of witnesses; Art. 14.03, relating to arrests without warrants; Art. 14.06, relating to the taking of offenders before magistrates; paragraph 2 of Art. 15.03, relating to the issuance of warrants or summons by magistrates; Art. 15.05, relating to requisites of complaint, by adding a new paragraph to be numbered 5; Art. 15.16, relating to the execution of warrants; Art. 15.17, defining duties of arresting officer and magistrate; Art. 15.26, relating to authority to arrest; Sec. 2 of Art. 17.11, relating to bail bonds; Sec. 1 of Art. 18.30, relating to the sale of unclaimed or abandoned property; Art. 25.04, relating to the indictments or information in connection with misdemeanors; Art. 26.03, relating to time of arraignment; Art. 27.14, relating to plea of guilty or nolo contendere in misdemeanor; Art. 28.01, relating to pre-trial by adding a new section to be numbered 3; Art. 35.13, relating to the passing of jurors for challenge; paragraph 1 of Art. 36.01,

relating to order of proceedings in trial; Art. 36.09, relating to severance on separate indictments; Art. 37.07, relating to verdicts; Art. 38.22, relating to when confessions shall not be used; Art. 39.02, relating to depositions for defendant; Art. 39.03, relating to officers taking depositions; Art. 39.07, relating to certificates; paragraphs 5, 6(a), 7 and 12 of Art. 40.09, relating to the record on appeal; Art. 42.03, relating to sentencing; Sections 10, 16, 18 and 27 of Art. 42.12, relating to the adult probation and parole law; Sections 3 and 5 of Art. 42.13 relating to the misdemeanor probation law; Art. 44.11 relating to effect of appeals; Art. 46.02 relating to insanity in defense or in bar; repealing Article 26.14 and Article 42.14; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Patman, Kennard, Jordan, Wilson, Bernal, Harrington, Christie, Bates, Watson and Mauzy:

S. B. No. 146, A bill to be entitled "An Act creating the Commission on Organization of the Executive Branch of the Government and providing for its powers, duties and procedures; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 147, A bill to be entitled "An Act making an appropriation to public junior colleges for the fiscal year ending August 31, 1967; amending Article IV, Chapter 720, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

To the Committee on Finance.

By Senator Parkhouse:

S. B. No. 148, A bill to be entitled "An Act amending Article 7467c, Revised Civil Statutes of Texas, 1925, being the Article authorizing the granting of seasonal and temporary permits to appropriate water, by limiting to three years the period of time for which a temporary permit may be granted; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Herring:

S. B. No. 149, A bill to be entitled

"An Act amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended by Chapter 398, Acts of the 59th Legislature, Regular session and codified in Vernons as Article 200a, Vernon's Civil Statutes, by adding thereto a New Section to be numbered Section 11 so as to authorize supplementary compensation for performing duties as Presiding Judges of Administrative Judicial Districts; fixing the maximum amount of such supplementary compensation; making other provisions relating thereto; providing for a repealing clause; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Word:

S. B. No. 150, A bill to be entitled "An Act adopting a Code Construction Act; defining general terms and providing general rules for the construction of codes (and amendments to them) enacted pursuant to the state's continuing statutory revision program; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Word:

S. B. No. 151, A bill to be entitled "An Act adopting the Business and Commerce Code; formally revising and reenacting certain statutes of a commercial nature, including the Uniform Commercial Code and statutes relating to competition and trade practices, insolvency, fraudulent transfers, and fraud, and miscellaneous commercial subjects; repealing the statutes disposed of by the code; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 152, A bill to be entitled "An Act relating to the filling of vacancies in the office of supervisor of of Soil and Water Conservation Districts and the manner of changing the boundaries of such districts; amending Sections 5 and 6, Chapter 3, page 7, General Laws, Acts of the 46th Legislature, 1939, as amended (Article 165a-4, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Hightower:

S. B. No. 153, A bill to be entitled "An Act amending Section 3, Chapter 332, Acts of the 53rd Legislature, Regular Session, 1953 (Article 165a-10, Vernon's Texas Civil Statutes), relating to bonds, accounts, and record-keeping of Soil and Water Conservation Districts; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Berry:

S. B. No. 154, A bill to be entitled "An Act relating to local option extension of hours for the sale, possession, and consumption of alcoholic beverages in places where on-premises consumption is permitted; prescribing penalties; amending Article I, Texas Liquor Control Act, by adding a new Section 58; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Berry:

S. B. No. 155, A bill to be entitled "An Act relating to assessment of candidates in primary elections in certain counties and refund of those assessments in certain circumstances; prescribing a penalty for illegal refunds; amending Section 186a, Texas Election Code (Article 13.08a, Vernon's Texas Election Code); and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 156, A bill to be entitled "An Act amending Section 7, Chapter 470, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 2922-1, Vernon's Texas Civil Statutes), relating to death and survivor benefits for members and beneficiaries of the Teachers' Retirement System; and declaring an emergency."

To the Committee on Education.

By Senator Watson:

S. B. No. 157, A bill to be entitled "An Act concerning the issuance of certificates and the payment of dividends by savings and loan associations; amending Chapter 113, Acts of the 58th Legislature, 1963, as amended (Article 852a, Vernon's

Texas Civil Statutes), by adding Section 6.19; and declaring an emergency."

To the Committee on Banking.

By Senator Parkhouse:

S. J. R. No. 8, Proposing an amendment to Section 16, Article XVI, Constitution of the State of Texas, to provide that a corporate body with banking and discounting privileges whose place of business designated in its charter is in a county of more than 500,000 inhabitants may be authorized to engage in business at more than one place within the county.

To the Committee on Constitutional Amendments.

#### Senate Bill 129 Re-referred

On motion of Senator Christie and by unanimous consent S. B. No. 129 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

#### Senate Bill 155 Re-referred

On motion of Senator Creighton and by unanimous consent S. B. No. 155 was withdrawn from the Committee on Counties, Cities and Towns and re-referred to the Committee on Privileges and Elections.

#### Communication From the Speaker of the House

The following communication received from the Speaker of the House was read and was referred to the Committee on Nominations:

Austin, Texas,  
January 31, 1967.

To The Senate of Texas: I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

Mr. Edward A. Stumpf of Harris County, Texas, to be a member of the Board of the State Employees Retirement System for a six-year term ending August 31, 1972.

BEN BARNES,  
Speaker, House of Representatives

#### House Concurrent Resolution 19 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 19, Inviting His Excellency, John Connally, Governor of the State of Texas, to address a Joint Session at 11 a.m., February 2, 1967.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 76

Senator Word offered the following resolution:

Whereas, The Senate of Texas is honored by the presence of Mrs. Alice Warren of Austin, Texas; and

Whereas, We wish to express our appreciation of her interest in the functions of our State government; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate.

The resolution was read and was adopted.

The President recognized Senator Word and he presented Mrs. Warren, the mother of Mrs. Word to the Members of the Senate.

#### Reports of Standing Committee

Senator Herring submitted the following reports:

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 35, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 57, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 111, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 112, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 48, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 138, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 9, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass,

but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 9 was read the first time.

#### Senate Concurrent Resolution 14 on Second Reading

Senator Brooks moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. C. R. No. 14 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading:

S. C. R. No. 14, Granting permission to Nassau, Inc. to sue the State of Texas.

The resolution was read and was adopted.

#### Senate Bill 64 on Second Reading

Senator Parkhouse moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 64 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Blanchard
Bates	Brooks
Bernal	Christie
Berry	Cole

Connally	Moore
Creighton	Parkhouse
Grover	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Schwartz
Hazlewood	Strong
Herring	Wade
Hightower	Watson
Jordan	Wilson
Kennard	Word
Mauzy	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 64, A bill to be entitled "An Act authorizing cities with a population of 600,000 or more according to the last preceding federal census that have provisions in their charters limiting their total bonded indebtedness to fixed amounts in dollars to incur total bonded indebtedness in an amount not exceeding ten (10%) per cent of the total assessed valuation of property shown by the last assessment roll of such a city, notwithstanding the limit of total bonded indebtedness fixed in dollars by the city charter is a lesser amount; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 64 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Brooks	Mauzy
Christie	Moore
Cole	Parkhouse
Connally	Patman
Creighton	Ratliff
Grover	Reagan
Hall	Schwartz
Hardeman	Strong
Harrington	Wade

Watson	Word
Wilson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### Senate Bill 23 on Second Reading

Senator Harrington moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 23 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 23, A bill to be entitled "An Act amending Article 8274, Revised Civil Statutes of Texas, 1925,

as amended, to increase the rate of pilotage; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 23 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### Senate Bill 36 on Second Reading

Senator Creighton moved that Senate Rules 116, 13 and 38 and Section

5 of Article III of the State Constitution be suspended and that S. B. No. 36 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 36, A bill to be entitled "An Act relating to the election of school trustees for The Fort Worth Independent School District, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 36 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Hardeman
Bates	Harrington
Bernal	Hazlewood
Berry	Herring
Blanchard	Hightower
Brooks	Jordan
Christie	Kennard
Cole	Mauzy
Connally	Moore
Creighton	Parkhouse
Grover	Patman
Hall	Ratliff

Reagan	Watson
Schwartz	Wilson
Strong	Word
Wade	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 37 on Second Reading

Senator Creighton moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 37 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 37, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the Official Shorthand Reporter for the 43rd Judicial District of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 37 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### Senate Bill 79 on Second Reading

Senator Watson moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 79 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Cole
Bates	Connally
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Brooks	Hardeman
Christie	Harrington



Hazlewood	Ratliff
Herring	Reagan
Hightower	Schwartz
Jordan	Strong
Kennard	Wade
Mauzy	Watson
Moore	Wilson
Parkhouse	Word
Patman	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 79, A bill to be entitled "An Act relating to the election of school trustees in certain counties; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 79 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Bernal	Cole
Berry	Connally
Blanchard	Creighton

Grover	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Schwartz
Herring	Strong
Hightower	Wade
Jordan	Watson
Kennard	Wilson
Mauzy	Word
Moore	

#### Senate Bill 68 on Second Reading

Senator Harrington moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 68 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 68, A bill to be entitled "An Act amending Section 8, Chapter 152, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-126a, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the Judge of the County Court of Jefferson County at Law No. 2 at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 68 on Third Reading

Senator Harrington moved that

Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

## Senate Bill 93 on Second Reading

Senator Harrington moved that Senate Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 93 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 93, A bill to be entitled "An Act amending Section 13, Chapter 29, Acts of the 34th Legislature, Regular Session, 1915, as amended (Article 1970-122, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the judge of the County Court of Jefferson County at Law at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 93 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 93 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Hardeman
Bates	Harrington
Bernal	Hazlewood
Berry	Herring
Blanchard	Hightower
Brooks	Jordan
Christie	Kennard
Cole	Mauzy
Connally	Moore
Creighton	Parkhouse
Grover	Patman
Hall	Ratliff

Reagan	Watson
Schwartz	Wilson
Strong	Word
Wade	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

**Executive Session**

On motion of Senator Blanchard and by unanimous consent the Senate agreed to hold an Executive Session at 11:30 o'clock a.m. today (he having given Notice on yesterday and changed time from Thursday to today).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be a member of the State Securities Board, for a six year term to expire January 15, 1971: Tom McCrummen, Jr., of Austin, Travis County.

To be a member of the Texas Water Development Board, for a six year term to expire December 30, 1971: Robert B. Gilmore of Dallas, Dallas County.

To be Judge of Criminal District Court Number Four of Harris County, to fill the unexpired term of Judge Arnold Krichamer, deceased: Dan Walton of Houston, Harris County.

To be a member of the Public Safety Commission, for a six year term to expire December 31, 1971: Clifton W. Cassidy of Dallas, Dallas County.

To be a member of the Board of Regents of Texas Woman's University, to fill the unexpired term of Randall Jackson, resigned, term to expire January 10, 1967: Wendell W. Mayes of Brownwood, Brown County.

To be a member of the State Securities Board, to fill the unexpired term of Everett Fulgham, resigned, term to expire January 15, 1969: Randall C. Jackson of Abilene, Taylor County.

To be Presiding Judge of the First Administrative Judicial District, for a term to expire December 31, 1970: Dallas A. Blankenship of Dallas, Dallas County.

To be Commissioner of Public Welfare of the State Department of Public Welfare: Burton G. Hackney of Brownfield, Terry County.

To be Adjutant General: Major General Thomas S. Bishop of Austin, Travis County.

To be Assistant Adjutant General: Brigadier General James D. Scott of Austin, Travis County.

To be Assistant Adjutant General for Air: Brigadier General James M. Rose of Austin, Travis County.

To be a member of the Governor's Committee on Aging, to fill the unexpired term of W. D. Brent, deceased, term to expire August 30, 1969: Robert Alexander Westbrook of Elgin, Bastrop County.

To be a member of the Board of Directors of Texas Technological College, to fill the unexpired term of R. Wright Armstrong, now deceased, term to expire February 19, 1967: Carl E. Reistle, Jr. of Houston, Harris County.

To be a member of the State Commission for the Blind, for a six year

term to expire January 1, 1971: Thurman Dobbins of Austin, Travis County.

To be a member of the Library and Historical Commission, for a six year term to expire September 28, 1971: Walter E. Long of Austin, Travis County.

#### **In Legislative Session**

The President called the Senate to order as In Legislative Session at 12:03 o'clock p.m.

#### **Welcome and Congratulatory Resolutions**

S. R. No. 77—By Senator Watson: Commending Major Walter James Elliott, Commander of Region No. 6 of the Texas Department of Public Safety.

S. R. No. 78—By Senator Herring:

Extending welcome to students from Reilly Elementary School of Austin.

S. R. No. 79—By Senator Hall: Extending welcome to T. A. Norman, President of The First State Bank of Rockwall.

S. R. No. 80—By Senator Connally: Extending welcome to students of Refugio High School.

#### **Adjournment**

On motion of Senator Ratliff the Senate at 12:04 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### **APPENDIX**

Sent to the Governor

February 1, 1967

S. C. R. No. 7

In Memory of

**Dr. Gordon B. McFarland, Sr.**

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Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 15)

Whereas, Hardly a family in Dallas was untouched by the great loss to the city which came with the death on October 10, 1966, of Dr. Gordon B. McFarland, Sr., Dallas pediatrician on the staff of Children's Medical Center; and

Whereas, Dr. McFarland, who died at the age of 73, was a native of Ladonia and was graduated from Texas Christian University in 1913 and received his medical degree from The University of Texas Medical School at Galveston; and

Whereas, He also did graduate work at the Columbia University School of Medicine, and in addition to this staff position with Children's Medical Center, he engaged in a large private practice and was known and beloved by all his patients and their parents; and

Whereas, He was a consultant at The University of Texas Southwestern Medical School and a former staff member of the Baylor University Medical School; a staff member and consultant of Hope Cottage; and a section of Children's Medical Center was named in his honor; and

Whereas, Dr. McFarland was active in the Dallas County Medical Society and the American Medical Association, and he also belonged to the American Academy of Pediatrics and served as counselor for the Texas Pediatric Society; and

Whereas, He participated in the affairs of the Northway Christian Church, of which he was a member, and was widely known for his great heart and charitable acts in the practice of his profession; and

Whereas, He leaves a wife, Mrs. Mildred McFarland; three sons, Dr. Gordon B. McFarland, Jr. of New Orleans, Louisiana, John S. McFarland and Michael A. McFarland, both of Dallas; and two grandchildren; and

Whereas, the Senate of Texas and the House of Representatives concurring, wishes to pay tribute to this outstanding physician and humanitarian; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we extend deep sympathy to the family of this outstanding pediatrician who made his wisdom and skills available to people of every station of life and whose counsel was sought at the highest levels of his profession; and, be it further

Resolved, That copies of this Resolution be prepared for his wife and sons, and that when the Legislature adjourns this day, it do so in memory of Dr. Gordon B. McFarland, Sr.

PARKHOUSE  
MAUZY

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

**In Memory of**  
**Van M. Lamm**

---

Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 16)

Whereas, The City of Dallas and the State of Texas were saddened by the loss of a distinguished citizen and educational leader in the death, at the age of 58, of Van M. Lamm on Monday, November 7, 1966; and

Whereas, Mr. Lamm was a native of Perrin, but moved to Dallas at an early age and graduated from the old Bryan High School, where he was active in all sports; and

Whereas, He was also a graduate of The University of Texas, where he lettered in baseball, and following his graduation played professional baseball with the Texas League in Shreveport, Louisiana; and

Whereas, In Dallas, he served as president of the Southwest Conference Lettermen's Association and tournament director of the Dallas Open Golf Association and was also a past director of the Hall of Fame at The University of Texas; and

Whereas, He served as a member of the Dallas County Board of Education and held the office of vice-president; he was a school board member from 1953 to 1962; and

Whereas, Mr. Lamm's military service included two years as a Major in the Engineers Division of the U.S. Air Force; and

Whereas, He established the Van Lamm Lumber Company in Dallas and became associated with the building of the Western Hills housing development in Fort Worth; and

Whereas, He was a member of the Lumberman's Association and, among other business activities, he served as a director of the Oak Cliff Bank & Trust Company; and

Whereas, He was active in the affairs of his church, the Oak Cliff Temple Baptist Church, and was a member of the Oak Cliff Rotary Club and Hella Temple Shrine, as well as a member of the Oak Cliff Country Club and the Top o' the Cliff Club; and

Whereas, He was a devoted husband and father, and is survived by his wife, Mrs. D'Elle Lamm; a son, Van M. Lamm, Jr.; and a daughter, Miss Mary Ellen Lamm; and a sister and two brothers; and

Whereas, He will be sorely missed by his relatives and many friends, as well as his associates in business and civic affairs; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the State of Texas pay tribute to this good and beloved citizen; and, be it further

Resolved, That copies of this Resolution be sent to the members of his immediate family, and that when the Legislature adjourns this day, it do so in memory of Van M. Lamm.

**PARKHOUSE**  
**WADE**  
**MAUZY**

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory of  
**Charles K. Word, Sr.**

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Senator Hall offered the following resolution:

(Senate Concurrent Resolution 17)

Whereas, Bosque County and the State of Texas lost an outstanding citizen and a devoted family man in the death, on May 20, 1966, of Charles K. Word, Sr., of Meridian, at the age of 69, the father of one of our distinguished colleagues; and

Whereas, He contributed to the work of the church; he was very considerate of all charities, and especially to underprivileged children, and anyone less fortunate than he; and

Whereas, He graduated from Meridian High School, he attended Meridian College, Toby's Business College, and he was admitted to the State Bar of Texas on November 20, 1931; he began practicing law with his father, J. P. Word, in Meridian, Texas, in the year 1931, and he was the founder of Meridian Abstract Company, in the year 1928; and

Whereas, Having no special hobbies, he devoted his entire time to his family, his church and his work, his having been left with four small children to raise and educate without the help of their mother who pre-deceased him on September 7, 1945; and

Whereas, He was a veteran of World War One and he resided in the community of Meridian his entire lifetime; his friendship was esteemed by all who knew him; and his friends and acquaintances throughout the county were many; and

Whereas, His Christian attitude toward life was demonstrated by the unselfish sharing of his talents and energies in all phases of civic betterment; and

Whereas, It is appropriate that the Legislature of the State of Texas pay tribute to this well-known leader who did so much for the people of his county and his State; now, therefore, be it

Resolved, by the Senate of the 60th Legislature, the House of Representatives concurring, That the Legislature hereby extends its sympathy to the family of Charles K. Word, Sr., in their great loss; and, be it further

Resolved, That copies of this Resolution, under the seal of the Senate of Texas, be prepared for his two daughters: Mrs. Dorna Jane Nickels of Denver City, Texas; Mrs. Charlene Nichols of Weatherford, Texas; his two sons: Charles K. Word, Jr., and J. P. Word, both of Meridian, Texas; and that when the Senate and the House of Representatives adjourn this day they do so in the memory of Charles K. Word, Sr.

HALL

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

# In Memory of General Ernest O. Thompson

Senator Hardeman offered the following resolution:

(Senate Resolution 75)

Whereas, General Ernest O. Thompson, a man who has "wielded greater influence over the economic welfare of the country than any other public servant in U.S. History," according to author James A. Clark, died on June 28, 1966, in his home city of Amarillo, where he had lived since the age of 10; and

Whereas, General Thompson was appointed to the Railroad Commission by Governor Ross Sterling in 1932, one of the most critical periods of strife in Texas history, and was assigned the great responsibility of restoring order out of chaos in the East Texas Oil Field; and

Whereas, He served on the Railroad Commission for 32 years and was the acknowledged authority on oil and gas conservation throughout the world; under his skillful leadership, proration of oil production on the basis of market demand was developed, thereby restoring efficiency in production, preventing disastrous waste of this valuable natural resource, and establishing Texas conservation laws as the model emulated by other states and foreign countries; and

Whereas, In 1951, General Thompson was cited by the American Petroleum Institute as "the greatest living authority on conservation"; he conducted an oil survey in the Middle East in 1955 for the Secretary of State and Secretary of Defense; and

Whereas, In further recognition of his great service, the oil industry and the State of Texas paid tribute to General Thompson during dedication ceremonies for a Texas State Historical Marker, which was placed in Thompson Memorial Park in Amarillo on December 14, 1966, and acknowledged him as a world leader in petroleum conservation; the following day, the Railroad Commission's headquarters building in Austin was renamed Thompson State Office Building in his honor; and

Whereas, Ernest Othmer Thompson was born in Alvord, Texas, on March 24, 1892, was educated at Virginia Military Institute and The University of Texas, where he received his LL.B. degree in 1917; he entered the private practice of law in Amarillo and soon became one of that city's outstanding civic and business leaders; he became Mayor of Amarillo in 1929, and also served at one time as a regent of Texas Technological College at Lubbock; and

Whereas, In addition to his oil and conservation activities, General Thompson saw military service in both World War I and World War II: he began his military career as a young officer in the 90th Division, A.E.F., on the Western Front, and earned a battlefield promotion to Lieutenant Colonel, the youngest officer with that rank in the Army; early in World War II, he again went into the Army but returned to Texas on presidential order "to insure oil supplies for allied military forces"; on his retirement, he was Commanding General, Texas National Guard; and

Whereas, The Senate of the State of Texas wishes to recognize officially the extraordinary life and career of service of General Ernest O. Thompson; now, therefore, be it

Resolved, That the Senate of Texas, of the 60th Legislature, by this Resolution, express appreciation for this man, often called the "father of petroleum conservation," whose sound judgment, courage, fortitude and unselfish devotion to duty will long be remembered and acclaimed; and, be it further

Resolved, That the Senate extend deep sympathy on their great loss to Mrs. Myda Bivins Thompson, his wife; and to Mrs. Olive Hastings of Tulsa, Oklahoma, his sister; that copies of this Resolution under the Seal of the Senate be prepared for them; and that when the Senate adjourns this day that it do so in memory of General Ernest O. Thompson.

HARDEMAN  
HAZLEWOOD

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hazlewood and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.